

of a deck shall not be considered to be affected by the existence of tonnage openings, engine spaces, or a step in the deck.

(11) *Person* includes an individual, registered pilot, partnership, corporation, association, voluntary association, authorized pool, or public or private organization, other than an agency.

(12) *Applicant Pilot* means a person who holds a license as a master, mate, or pilot issued under the authority of the provisions of Title 52 of the Revised Statutes, and has acquired at least twenty-four months licensed service or comparable experience on vessels or integrated tugs and tows, of 4,000 gross tons or over, operating on the Great Lakes or oceans, and who has applied for registration under the provisions of Subpart B of this part. Those persons qualifying with ocean service must have obtained at least six months of licensed service or comparable experience on the Great Lakes.

(13) *Applicant Trainee* means a person who is in training to become an Applicant Pilot with an organization authorized to provide pilotage services.

(14) *Pool* means an organization authorized to provide pilotage services.

(15) *Comparable experience* means experience that is similar to the experience obtained by serving as an officer on a vessel. Training and experience while participating in a pilot training program of an authorized pilot organization is considered equivalent on a day for day basis to experience as an officer on a vessel. The training program of the authorized pilot organization must, however, include regularly scheduled trips on vessels of 4,000 gross tons or over in the company of a registered pilot.

(16) *Association* means any organization that holds or held a Certificate of Authorization issued by the Director of

Great Lakes Pilotage to operate a pilotage pool on the Great Lakes.

[26 FR 951, Jan. 31, 1961, as amended at 31 FR 9064, July 1, 1966; 32 FR 14220, Oct. 13, 1967; CGFR 68-78, 33 FR 9823, July 9, 1968; CGFR 70-29a, 35 FR 10434, June 26, 1970; CGD 74-233, 40 FR 41526, Sept. 8, 1975; CGD 78-144a, 44 FR 19362, Apr. 2, 1979; CGD 78-1445, 44 FR 64837, Nov. 8, 1979; 53 FR 34538, Sept. 7, 1988; 60 FR 18369, Apr. 11, 1995; 61 FR 5721, Feb. 14, 1996. Redesignated and amended at 61 FR 32655, June 25, 1996, and further redesignated and amended by USCG-1998-3976, 63 FR 35139, June 29, 1998; USCG-2001-10224, 66 FR 48621, Sept. 21, 2001; USCG-2002-13058, 67 FR 61279, Sept. 30, 2002; USCG-2004-18884, 69 FR 58352, Sept. 30, 2004]

#### § 401.120 Federal reservation of pilotage regulations.

No state, municipal, or other local authority shall require the use of pilots or regulate any aspect of pilotage in any of the waters specified in the Act. Only those persons registered as United States Registered Pilots or Canadian Registered Pilots as defined in this subpart may render pilotage services on any vessel subject to the Act and the Memorandum of Arrangements, Great Lakes Pilotage.

[26 FR 951, Jan. 31, 1961. Redesignated at 61 FR 32655, June 25, 1996, and further redesignated by USCG-1998-3976, 63 FR 35139, June 29, 1998]

### Subpart B—Registration of Pilots

#### § 401.200 Application for registration.

(a) An application for registration as a U.S. Registered Pilot shall be made on Form CG-4509, which shall be submitted together with a completed fingerprint chart and two full-face photographs, 1½ inches by 2 inches, signed on the face. These forms may be obtained from the Director.

(b) [Reserved]

[32 FR 14220, Oct. 13, 1967, as amended by CGD 78-144b, 44 FR 64837, Nov. 8, 1979. Redesignated at 61 FR 32655, June 25, 1996, and further redesignated by USCG-1998-3976, 63 FR 35139, June 29, 1998]

#### § 401.210 Requirements and qualifications for registration.

(a) No person shall be registered as a United States Registered Pilot unless:

(1) The individual holds a license as a master, mate, or pilot, issued under the

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authority of the provisions of Title 52 of the Revised Statutes, and has acquired at least twenty-four months licensed service or comparable experience on vessels or integrated tugs and tows, of 4,000 gross tons, or over, operating on the Great Lakes or oceans. Those applicants qualifying with ocean service must have obtained at least six months of licensed service or comparable experience on the Great Lakes. Those applicants qualifying with comparable experience must have served a minimum of twelve months as a licensed deck officer.

(2) The individual is a citizen of the United States.

(3) The individual is of good moral character and temperate habits.

(4) The individual is physically competent to perform the duties of a U.S. Registered Pilot and meets the medical requirements prescribed by the Commandant.

(5) The individual has not reached the age of 70.

(6) The individual possesses a validated Merchant Mariner's Document issued by the Coast Guard.

(7) The individual agrees to be available for service under the terms and conditions as may be approved or prescribed by the Commandant.

(8) The individual has complied with the requirements set forth in §401.220(b) for Applicant Pilots if applying for registration for waters in which a pilotage pool is authorized.

(9) The individual agrees to comply with all applicable provisions of this part and amendments thereto.

(b) Any person registered as a United States Registered Pilot pursuant to the provisions of this part whose application contains false or misleading statements furnished by the applicant in furtherance of his or her application shall be in violation of these regulations and may be proceeded against under §401.250(a) or §401.500.

[29 FR 10464, July 28, 1964, as amended at 31 FR 9065, July 1, 1966; 32 FR 14220, Oct. 13, 1967; CGD 78-144a, 44 FR 19363, Apr. 2, 1979; CGD 78-144b, 44 FR 64837, Nov. 8, 1979; 61 FR 5721, Feb. 14, 1996. Redesignated and amended at 61 FR 32655, June 25, 1996, and further redesignated and amended by USCG-1998-3976, 63 FR 35139, 35140, June 29, 1998; USCG-2002-13058, 67 FR 61279, Sept. 30, 2002]

### §401.211 Requirements for training of Applicant Pilots.

(a) The Director shall determine the number of Applicant Pilots required to be in training by each Association authorized to form a pool in order to assure an adequate number of Registered Pilots. No Applicant Pilot shall be selected for training unless:

(1) The individual meets the requirements and qualifications set forth in paragraphs (a) (1) through (4), (6), (7), and (9) of §401.210.

(2) The individual shall not have reached the age of 60.

(3) The individual possesses a radar observer competency certificate or equivalent U.S. Coast Guard endorsement.

(b) For purpose of determining whether an applicant meets the experience requirements contained in §401.210(a)(1), not more than twelve months of "comparable experience" may be used in fulfilling the twenty-four month experience requirement.

(c) The Director shall approve the United States Registered Pilots that are designated by the authorized pilot organization to provide training to those pilots that are in training to be registered pilots.

(d) Persons desiring to be considered as an Applicant Pilot shall file with the Director a completed Application Form, CG-4509, in duplicate, together with two full-face photographs, 1½ inches by 2 inches, signed on the face, and a completed fingerprint chart.

(e) Individuals selected as Applicant Pilots by the Director shall be issued a U.S. Coast Guard Applicant Pilot Identification Card, which shall be valid until such time as (1) the applicant is registered as a pilot under §401.210; (2) the applicant withdraws from the training program, or (3) upon withdrawal by the Director.

[29 FR 10465, July 28, 1964, as amended at 31 FR 9065, July 1, 1966; 32 FR 14220, Oct. 13, 1967; CGD 78-144a, 44 FR 19363, Apr. 2, 1979; CGD 78-144b, 44 FR 64837, Nov. 9, 1979; 61 FR 5721, Feb. 14, 1996. Redesignated and amended at 61 FR 32655, June 25, 1996, and further redesignated and amended by USCG-1998-3976, 63 FR 35139, 35140, June 29, 1998; USCG-2002-13058, 67 FR 61279, Sept. 30, 2002]